



General Assembly

Amendment

February Session, 2016

LCO No. 4180



Offered by:
SEN. FASANO, 34th Dist.

To: Senate Bill No. 185

File No. 35

Cal. No. 84

***"AN ACT CONCERNING REPORTING REQUIREMENTS AND
MINOR AND TECHNICAL REVISIONS TO THE GENERAL
STATUTES AFFECTING THE DEPARTMENT OF CHILDREN AND
FAMILIES."***

1 Strike section 1 in its entirety and substitute the following in lieu
2 thereof:

3 "Section 1. Section 17a-3 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective January 1, 2017*):

5 (a) The department shall plan, create, develop, operate or arrange
6 for, administer and evaluate a comprehensive and integrated
7 state-wide program of services, including preventive services, for
8 children and youths whose behavior does not conform to the law or to
9 acceptable community standards, or who are mentally ill, including
10 deaf and hearing impaired children and youths who are mentally ill,
11 emotionally disturbed, substance abusers, delinquent, abused,
12 neglected or uncared for, including all children and youths who are or
13 may be committed to it by any court, and all children and youths

14 voluntarily admitted to, or remaining voluntarily under the
15 supervision of, the commissioner for services of any kind. Services
16 shall not be denied to any such child or youth solely because of other
17 complicating or multiple disabilities. The department shall work in
18 cooperation with other child-serving agencies and organizations to
19 provide or arrange for preventive programs, including, but not limited
20 to, teenage pregnancy and youth suicide prevention, for children and
21 youths and their families. The program shall provide services and
22 placements that are clinically indicated and appropriate to the needs of
23 the child or youth, except that such services and placements shall not
24 commence or continue for a delinquent child who has attained the age
25 of twenty. In furtherance of this purpose, the department shall: (1)
26 [Maintain the Connecticut Juvenile Training School and other
27 appropriate facilities exclusively for delinquents; (2) develop] Develop
28 a comprehensive program for prevention of problems of children and
29 youths and provide a flexible, innovative and effective program for the
30 placement, care and treatment of children and youths committed by
31 any court to the department, transferred to the department by other
32 departments, or voluntarily admitted to the department; [(3)] (2)
33 provide appropriate services to families of children and youths as
34 needed to achieve the purposes of sections 17a-1 to 17a-26, inclusive,
35 17a-28 to 17a-49, inclusive, and 17a-51; [(4)] (3) establish incentive paid
36 work programs for children and youths under the care of the
37 department and the rates to be paid such children and youths for work
38 done in such programs and may provide allowances to children and
39 youths in the custody of the department; [(5)] (4) be responsible to
40 collect, interpret and publish statistics relating to children and youths
41 within the department; [(6)] (5) conduct studies of any program,
42 service or facility developed, operated, contracted for or supported by
43 the department in order to evaluate its effectiveness; [(7)] (6) establish
44 staff development and other training and educational programs
45 designed to improve the quality of departmental services and
46 programs, which shall include, but not be limited to, training in the
47 prevention, identification and effects of family violence, provided no
48 social worker trainee shall be assigned a case load prior to completing

49 training, and may establish educational or training programs for
50 children, youths, parents or other interested persons on any matter
51 related to the promotion of the well-being of children, or the
52 prevention of mental illness, emotional disturbance, delinquency and
53 other disabilities in children and youths; ~~[(8)]~~ (7) develop and
54 implement aftercare and follow-up services appropriate to the needs of
55 any child or youth under the care of the department; ~~[(9)]~~ (8) establish
56 a case audit unit to monitor each regional office's compliance with
57 regulations and procedures; ~~[(10)]~~ (9) develop and maintain a database
58 listing available community service programs funded by the
59 department; ~~[(11)]~~ (10) provide outreach and assistance to persons
60 caring for children whose parents are unable to do so by informing
61 such persons of programs and benefits for which they may be eligible;
62 and ~~[(12)]~~ (11) collect data sufficient to identify the housing needs of
63 children served by the department and share such data with the
64 Department of Housing.

65 (b) (1) The department, with the assistance of the State Advisory
66 Council on Children and Families, and in consultation with
67 representatives of the children and families served by the department,
68 providers of services to children and families, advocates, and others
69 interested in the well-being of children and families in this state, shall
70 develop and regularly update a single, comprehensive strategic plan
71 for meeting the needs of children and families served by the
72 department. In developing and updating the strategic plan, the
73 department shall identify and define agency goals and indicators of
74 progress, including benchmarks, in achieving such goals. The strategic
75 plan shall include, but not be limited to: (A) The department's mission
76 statement; (B) the expected results for the department and each of its
77 mandated areas of responsibility; (C) a schedule of action steps and a
78 time frame for achieving such results and fulfilling the department's
79 mission that includes strategies for working with other state agencies
80 to leverage resources and coordinate service delivery; (D) priorities for
81 services and estimates of the funding and other resources necessary to
82 carry them out; (E) standards for programs and services that are based

83 on research-based best practices, when available; and (F) relevant
84 measures of performance.

85 (2) The department shall begin the strategic planning process on
86 July 1, 2009. The department shall hold regional meetings on the plan
87 to ensure public input and shall post the plan and the plan's updates
88 and progress reports on the department's web site. The department
89 shall submit the strategic plan to the State Advisory Council on
90 Children and Families for review and comment prior to its final
91 submission to the General Assembly and the Governor. On or before
92 July 1, 2010, the department shall submit the strategic plan, in
93 accordance with section 11-4a, to the General Assembly and the
94 Governor.

95 (3) The commissioner shall track and report on progress in
96 achieving the strategic plan's goals not later than October 1, 2010, and
97 quarterly thereafter, to said State Advisory Council. The commissioner
98 shall submit a status report on progress in achieving the results in the
99 strategic plan, in accordance with section 11-4a, not later than July 1,
100 2011, and annually thereafter to the General Assembly and the
101 Governor."

102 After the last section, add the following and renumber sections and
103 internal references accordingly:

104 "Sec. 501. (NEW) (*Effective January 1, 2017*) Effective at 12:01 a.m.,
105 January 1, 2017, the executive director of the Court Support Services
106 Division of the Judicial Branch shall assume, and the Commissioner of
107 Children and Families shall cease to have guardianship, as defined in
108 subsection (a) of section 17a-90 of the general statutes, over all children
109 who on that date, by virtue of any order of the Superior Court or
110 Probate Court, are wards of or are committed to the Connecticut
111 Juvenile Training School or other juvenile detention center. The
112 executive director of the Court Support Services Division of the
113 Judicial Branch shall thereupon assume all liability and responsibility
114 for such children, and exercise such powers, duties and functions

115 regarding such children, as the Commissioner of Children and
116 Families in his or her capacity as guardian may now or hereafter have,
117 except to the extent that the federal government may require that any
118 responsibility for children be retained by the Commissioner of
119 Children and Families as a prerequisite to federal reimbursement of
120 state expenditures for such children under Title IV-A and B of the
121 Social Security Act. The executive director of the Court Support
122 Services Division of the Judicial Branch may delegate any power, duty
123 or function regarding such children, except for consent for adoption,
124 marriage and joining of the armed services and except to the extent
125 that the federal government may require that any responsibility for
126 children be retained by the Commissioner of Children and Families as
127 a prerequisite to federal reimbursement of state expenditures for such
128 children.

129 Sec. 502. (NEW) (*Effective January 1, 2017*) (a) (1) Wherever the term
130 "Commissioner of Children and Families" is used in the following
131 general statutes, the term "executive director of the Court Support
132 Services Division of the Judicial Branch" shall be substituted in lieu
133 thereof; (2) wherever the term "commissioner" is used in the following
134 general statutes, the term "executive director" shall be substituted in
135 lieu thereof; and (3) wherever the term "department" is used in the
136 following general statutes, the term "division" shall be substituted in
137 lieu thereof: 10-233k, 12-19a, 17a-3a, 17a-6b to 17a-8a, inclusive, 17a-10,
138 17a-12, 17a-13, 17a-27, 17a-27e, 17a-32, 17a-201b, 20-14i, 46b-120, 46b-
139 121, 46b-126, 46b-127, 46b-128a, 46b-134, 46b-140, 46b-141, 46b-141a,
140 46b-142, 46b-146 and 46b-149f.

141 (b) Wherever the term "Commissioner of Children and Families" is
142 used in any public or special act of 2016 (1) amending any section of
143 the general statutes listed in subsection (a) of this section, or (2)
144 involving the Connecticut Juvenile Training School or other juvenile
145 detention center, the term "executive director of the Court Support
146 Services Division of the Judicial Branch" shall be substituted in lieu
147 thereof. Wherever the term "Department of Children and Families" is
148 used in any public or special act of 2016 (A) amending any section of

149 the general statutes as listed in subsection (a) of this section, or (B)
150 involving the Connecticut Juvenile Training School or other juvenile
151 detention center, the term "Court Support Services Division of the
152 Judicial Branch" shall be substituted in lieu thereof.

153 (c) The Legislative Commissioners' Office shall, in codifying the
154 provisions of this section, make such technical, grammatical and
155 punctuation changes as are necessary to carry out the purposes of this
156 section.

157 Sec. 503. Section 4b-55 of the general statutes is repealed and the
158 following is substituted in lieu thereof (*Effective January 1, 2017*):

159 As used in this section, section 4b-1 and sections 4b-56 to 4b-59,
160 inclusive, unless the context clearly requires otherwise:

161 (a) "Commissioner" means the Commissioner of Administrative
162 Services;

163 (b) "Consultant" means (1) any architect, professional engineer,
164 landscape architect, land surveyor, accountant, interior designer,
165 environmental professional or construction administrator, who is
166 registered or licensed to practice such person's profession in
167 accordance with the applicable provisions of the general statutes, or (2)
168 any planner or financial specialist;

169 (c) "Consultant services" shall include those professional services
170 rendered by architects, professional engineers, landscape architects,
171 land surveyors, accountants, interior designers, environmental
172 professionals, construction administrators, planners or financial
173 specialists, as well as incidental services that members of these
174 professions and those in their employ are authorized to perform;

175 (d) "University of Connecticut library project" means a project to
176 renovate and improve the Homer Babbidge Library at The University
177 of Connecticut;

178 (e) "Firm" means any individual, partnership, corporation, joint

179 venture, association or other legal entity (1) authorized by law to
180 practice the profession of architecture, landscape architecture,
181 engineering, land surveying, accounting, interior design,
182 environmental or construction administration, or (2) practicing the
183 profession of planning or financial specialization;

184 (f) "Priority higher education facility project" means any project
185 which is part of a state program to repair, renovate, enlarge, equip,
186 purchase or construct (1) instructional facilities, (2) academic core
187 facilities, including library, research and laboratory facilities, (3)
188 student residential or related student dining facilities, or (4) utility
189 systems related to such projects, which are or will be operated under
190 the jurisdiction of the board of trustees of any constituent unit of the
191 state system of higher education, except The University of Connecticut
192 provided the project is included in the comprehensive facilities master
193 plan of the constituent unit in the most recent state facility plan of the
194 Office of Policy and Management pursuant to section 4b-23;

195 (g) "Project" means any state program requiring consultant services
196 if the cost of such services is estimated to exceed three hundred
197 thousand dollars;

198 (h) "Selection panel" or "panel" means the State Construction
199 Services Selection Panel established pursuant to subsection (a) of
200 section 4b-56 or, in the case of a Connecticut Health and Education
201 Facilities Authority project pursuant to section 10a-186a, means the
202 Connecticut Health and Education Facilities Authority Construction
203 Services Panel established pursuant to subsection (c) of section 4b-56;

204 (i) "User agency" means the state department or agency requesting
205 the project or the agency for which such project is being undertaken
206 pursuant to law;

207 (j) "Community court project" means (1) any project to renovate and
208 improve a facility designated for the community court established
209 pursuant to section 51-181c, and (2) the renovation and improvement
210 of other state facilities required for the relocation of any state agency

211 resulting from the placement of the community court;

212 (k) "Connecticut Juvenile Training School project" means a project
213 (1) to develop on a designated site new facilities for a Connecticut
214 Juvenile Training School in Middletown including, but not limited to,
215 preparing a feasibility study for, designing, constructing,
216 reconstructing, improving or equipping said facility for use by the
217 Department of Children and Families, and on and after January 1,
218 2017, the Court Support Services Division of the Judicial Branch, which
219 is an emergency project because there is an immediate need for
220 completion of said project to remedy overcrowding at Long Lane
221 School; said school shall have an annual average daily population of
222 not more than two hundred forty residents; or (2) to develop a separate
223 facility for girls including, but not limited to, acquiring of land or
224 buildings, designing, constructing, reconstructing, improving or
225 equipping said facility for use by the Department of Children and
226 Families, and on and after January 1, 2017, the Court Support Services
227 Division of the Judicial Branch;

228 (l) "Downtown Hartford higher education center project" means a
229 project to develop a higher education center, as defined in
230 subparagraph (B) of subdivision (2) of section 32-600, and as described
231 in subsection (a) of section 32-612, for the regional community-
232 technical college system;

233 (m) "Correctional facility project" means any project (1) which is
234 part of a state program to repair, renovate, enlarge or construct
235 facilities which are or will be operated by the Department of
236 Correction, and (2) for which there is an immediate need for
237 completion in order to remedy prison and jail overcrowding; and

238 (n) "Juvenile detention center project" means any project (1) which is
239 part of a state program to repair, renovate, enlarge or construct
240 juvenile detention centers which are or will be operated by the Judicial
241 Department, and (2) for which there is an immediate need for
242 completion in order to remedy overcrowding.

243 Sec. 504. Section 4b-58 of the general statutes is repealed and the
244 following is substituted in lieu thereof (*Effective January 1, 2017*):

245 (a) (1) Except in the case of a project, a priority higher education
246 facility project, a project, as defined in subdivision (16) of section 10a-
247 109c, undertaken by The University of Connecticut, a community court
248 project, a correctional facility project, a juvenile detention center
249 project, and the downtown Hartford higher education center project,
250 the commissioner shall negotiate a contract for consultant services with
251 the firm most qualified, in the commissioner's judgment, at
252 compensation which the commissioner determines is both fair and
253 reasonable to the state. (2) In the case of a project, the commissioner
254 shall negotiate a contract for such services with the most qualified firm
255 from among the list of firms submitted by the panel at compensation
256 which the commissioner determines in writing to be fair and
257 reasonable to the state. If the commissioner is unable to conclude a
258 contract with any of the firms recommended by the panel, the
259 commissioner shall, after issuing written findings of fact documenting
260 the reasons for such inability, negotiate with those firms which the
261 commissioner determines to be most qualified, at fair and reasonable
262 compensation, to render the particular consultant services under
263 consideration. (3) Whenever consultant services are required for a
264 priority higher education facility project, a project involving the
265 construction, repair or alteration of a building or premises under the
266 supervision of the Office of the Chief Court Administrator or property
267 where the Judicial Department is the primary occupant, a community
268 court project, a correctional facility project, a juvenile detention center
269 project, or the downtown Hartford higher education center project, the
270 commissioner shall select and interview at least three consultants or
271 firms and shall negotiate a contract for consultant services with the
272 firm most qualified, in the commissioner's judgment, at compensation
273 which the commissioner determines is both fair and reasonable to the
274 state, except that if, in the opinion of the commissioner, the
275 Connecticut Juvenile Training School project needs to be expedited in
276 order to meet the needs of the Department of Children and Families,

277 and on and after January 1, 2017, the Court Support Services Division
278 of the Judicial Branch, the commissioner may waive such selection
279 requirement. Except for the downtown Hartford higher education
280 center project, the commissioner shall notify the State Properties
281 Review Board of the commissioner's action not later than five business
282 days after such action for its approval or disapproval in accordance
283 with subsection (i) of section 4b-23, except that if, not later than fifteen
284 days after such notice, a decision has not been made, the board shall be
285 deemed to have approved such contract.

286 (b) In determining fair and reasonable compensation to be paid in
287 accordance with subsection (a) of this section, the commissioner shall
288 consider, in the following order of importance, the professional
289 competence of the consultant, the technical merits of the proposal, the
290 ability of the firm to perform the required services within the time and
291 budgetary limits of the contract and the price for which the services are
292 to be rendered.

293 Sec. 505. Section 46b-143 of the general statutes is repealed and the
294 following is substituted in lieu thereof (*Effective January 1, 2017*):

295 The clerk in charge of juvenile matters shall note the time of filing
296 an appeal from a juvenile matter and forthwith forward to the clerk of
297 the Appellate Court a certified copy of the appeal and order made
298 thereon. He shall also send a copy by registered or certified mail to the
299 Commissioner of Social Services, [or to] the Commissioner of Children
300 and Families or the executive director of the Court Support Services
301 Division of the Judicial Branch, to the petitioner upon whose
302 application the proceedings in the Superior Court were instituted,
303 unless he is the appellant, to any person or agency having custody of
304 any child or youth who is a subject of the proceeding, and to all other
305 interested persons as designated in the appeal; and if the addresses of
306 any such persons do not appear in the appeal, he shall call the matter
307 to the attention of a judge of the Superior Court who shall make such
308 an order of notice as he deems advisable.

309 Sec. 506. Section 46b-121i of the general statutes is repealed and the
310 following is substituted in lieu thereof (*Effective January 1, 2017*):

311 (a) The Judicial Department shall:

312 (1) Coordinate programs and services of the juvenile justice system
313 with other state and municipal agencies, boards and commissions;

314 (2) Develop and use intake and assessment procedures for the
315 evaluation of juveniles;

316 (3) Provide case management for juveniles;

317 (4) Provide pretrial diversion and postconviction programs;

318 (5) Coordinate community-based services for juveniles and their
319 families which promote appropriate reintegration of the juvenile with
320 his family, school and community; [and]

321 (6) Through the Court Support Services Division, maintain the
322 Connecticut Juvenile Training School and other juvenile detention
323 centers; and

324 ~~[(6)]~~ (7) Provide other programs and services necessary to the
325 juvenile justice system.

326 (b) In developing its programs, the Judicial Department shall:

327 (1) Develop risk and assessment instruments for use in determining
328 the need for detention or other placement at the time a juvenile enters
329 the system;

330 (2) Develop a case classification process to include the establishment
331 of classification program levels and case management standards for
332 each program level. A program level is based on the needs of the
333 juvenile, his potential to be dangerous and his risk of offending
334 further;

335 (3) Develop a purchase-of-care system, which will facilitate the

336 development of a state-wide community-based continuum of care,
 337 with the involvement of the private sector and the local public sector.
 338 Care services may be purchased from private providers to provide a
 339 wider diversity of services. This system shall include accessing Title
 340 IV-E funds of the federal Social Security Act, as amended, new
 341 Medicaid funds and other funding sources to support eligible
 342 community-based services. Such services developed and purchased
 343 shall include, but not be limited to, evaluation services which shall be
 344 available on a geographically accessible basis across the state."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2017</i>	17a-3
Sec. 501	<i>January 1, 2017</i>	New section
Sec. 502	<i>January 1, 2017</i>	New section
Sec. 503	<i>January 1, 2017</i>	4b-55
Sec. 504	<i>January 1, 2017</i>	4b-58
Sec. 505	<i>January 1, 2017</i>	46b-143
Sec. 506	<i>January 1, 2017</i>	46b-121i